

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

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Scott Lawrence Simmons,

Case No. 21-mc-0073 (WMW)

Plaintiff,

v.

**ORDER**

United States District Court, District of  
Minnesota, St. Paul Division; and United  
States District Court, District of Minnesota,  
Minneapolis Division,

Defendants.

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This matter is before the Court on Plaintiff Scott Lawrence Simmons's request for authorization to file a new civil action while proceeding *in forma pauperis*. (Dkt. 1.) Simmons is restricted from filing new cases in this District unless he is represented by counsel or pays the filing fee required by 28 U.S.C. § 1914 for commencing a new action. *See Simmons v. Brisbois*, No. 21-cv-0697 (SNL), Dkt. 5 (D. Minn. Apr. 8, 2021).

Upon review, the Court concludes that Simmons's proposed civil action lacks an arguable basis in either fact or law and, therefore, is frivolous. *See Neitzke v. Williams*, 490 U.S. 319, 325 (1989); *Coppedge v. United States*, 369 U.S. 438, 444–45 (1962). Accordingly, the request for authorization is denied and this proceeding shall be closed. The Court also certifies that any appeal taken from this denial would not be in good faith

and, therefore, any request to proceed *in forma pauperis* on appeal will be denied on that basis. *See* 28 U.S.C. § 1915(a)(3); Fed. R. App. P. 24(a)(3)(A).

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: November 8, 2021

s/Wilhelmina M. Wright  
Wilhelmina M. Wright  
United States District Judge